

County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1 You are hereby commanded to search for evidence located at storage facility space [REDACTED]
2 [REDACTED] City of Beaverton, County of Washington, State of Oregon to
3 seize, test, and examine evidence of crimes related to Murder (ORS 163.115) and Unlawful use
4 of a Weapon (ORS 166.220) to include:
5 1) Any handgun, pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun
6 cleaning equipment, holsters, and gun safes;
7 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
8 3) Any receipts or paperwork for firearm purchases or possession;
9 4) Any written journals, diaries, or notes;
10 5) Any keys, documents for storage facilities, or other information regarding locations
11 where Nancy Lee Crampton-Brophy is storing personal effects;
12 6) To seize any computers, laptop computers, and electronic tablets or devices with
13 internet browsing abilities;
14 7) To seize any cell phones or smart phone devices with the ability to send and receive
15 text messages, email, internet browsing, and phone calls.

16 And to seize and analyze the aforesaid objects of the search;

17 You are further directed to make return of this warrant to me within ten (10) days after
18 the execution thereof.

19 It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until
20 otherwise ordered by the court.

21 ISSUED over my hand on 9/7/18 at 4:20 a.m / p.m 

22 **F I L E D**

23 SEP 17 2018

24 CIRCUIT COURT
25 MULTNOMAH COUNTY

AMY HOLMES HEHN

Signature of Magistrate

AMY HOLMES HEHN
CIRCUIT COURT JUDGE

Title of Magistrate

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

2 **MULTNOMAH COUNTY**

3 STATE OF OREGON

AFFIDAVIT FOR

4 COUNTY OF MULTNOMAH

SEARCH WARRANT

F I L E D
SEP 17 2018
ADDENDUM
CIRCUIT COURT
MULTNOMAH COUNTY

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8 I, Darren Posey, having been first duly sworn, depose and say that I am a Police
9 Detective, and I have been a sworn Peace Officer in the State of Oregon for 21 years, and have
10 been a Police Detective for over 12 years of that time. I have attended the Department of Public
11 Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police
12 Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy
13 instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour
14 Detective Academy. In addition to this training, I graduated Bethany University with a Bachelor
15 of Arts degree and graduated San Jose City College with an Associates of Arts degree. The
16 academies I have attended included training on investigating homicides, robberies, and assaults. I
17 am currently assigned to the Homicide Detail of the Detective Division for the Portland Police
18 Bureau. My current job assignment includes the investigation and apprehension of subjects who
19 have committed homicides, attempted homicides, and felony assaults;

20

21 That I am seeking a warrant to search the storage facility space [REDACTED]

22 [REDACTED] City of Beaverton, County of Washington, State of Oregon. This location is a
23 10'X10' storage container for evidence relating to the murder of Daniel Brophy.

24

25 Upon the service of the warrant signed by Multnomah County Circuit Court Judge Karin
26 Immergut, on September 5, 2018, which is attached and incorporated herein, I was notified by

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2 **MULTNOMAH COUNTY**
3 Sergeant Whattam that Nancy Lee Crampton-Brophy had been recently moving items out of the
4 residence at [REDACTED] Beaverton, Oregon. Detective Merrill told me he talked to
5 and found from Nathaniel Stillwater the son of Daniel Brophy (deceased victim) that Nancy Lee
6 Crampton-Brophy had acquired a storage space at [REDACTED] Beaverton
7 Oregon. Detective Merrill told me he contacted the listed storage facility and was told Nancy Lee
8 Crampton-Brophy had rented a storage space [REDACTED] at the facility. Detective Merrill told me
9 Nathaniel Stillwater had gone to the storage facility with Nancy Lee Crampton-Brophy to place
10 items into the storage facility.

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3 Therefore, based on the foregoing I pray for an addendum to the warrant to search the

4 storage facility space [REDACTED] City of Beaverton, County of
5 Washington, State of Oregon for evidence of crimes related to Murder (ORS 163.115) and
6 Unlawful Use of a Weapon (ORS 166.220) to seize, test, and examine, to include:

7 1) Any handgun, Glock pistol or 9mm caliber firearm, 9mm caliber bullets, magazines,
8 gun cleaning equipment, holsters, and gun safes;
9 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
10 3) Any receipts or paperwork for firearm purchases or possession;
11 4) Any written journals, diaries, or notes;
12 5) Any keys, documents for storage facilities, or other information regarding locations
13 where Nancy Lee Crampton-Brophy is storing personal effects;
14 6) To seize any computers and electronic tablets with internet browsing abilities;
15 7) To seize any cell phones or smart phone devices with the ability to send and receive
16 text messages, email, internet browsing, and phone calls.

17
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19



Affiant

20 SUBSCRIBED AND SWORN TO before me this 7th day of September 19

21
22 Amy Holmes Hehn
23 Judge

24
25
26 AMY HOLMES HEHN
 CIRCUIT COURT JUDGE

Copy

I, Darren Posey, having been first duly sworn, depose and say that I am a Police Detective, and I have been a sworn Peace Officer in the State of Oregon for 21 years, and have been a Police Detective for over 12 years of that time. I have attended the Department of Public Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour Detective Academy. In addition to this training, I graduated Bethany University with a Bachelor of Arts degree and graduated San Jose City College with an Associates of Arts degree. The academies I have attended included training on investigating homicides, robberies, and assaults. I am currently assigned to the Homicide Detail of the Detective Division for the Portland Police Bureau. My current job assignment includes the investigation and apprehension of subjects who have committed homicides, attempted homicides, and felony assaults;

18
19 That I am seeking a search warrant for the following locations and items: 1. The
20 residence of NANCY LEE CRAMPTON-BROPHY located at [REDACTED] City of
21 Beaverton, County of Washington, State of Oregon; 2. The vehicle used and operated by
22 NANCY LEE CRAMPTON-BROPHY specifically a 2005 Toyota Sienna mini-van gray in color
23 with license plate 067BQX; 3. The cell phone of NANCY LEE CRAMPTON-BROPHY with
24 assigned phone number [REDACTED] along with any computers, electronic tablets, and any
25 other electronic devices with internet access;

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3 The following information is provided to establish probable cause relative to the
4 information sought in this affidavit, and may not necessarily contain all of the facts and
5 circumstances I am aware of relative to this ongoing investigation.

6

7 That On June 2, 2018 I was directed to respond to the Oregon Culinary Institute at 1701
8 SW Jefferson Street, City of Portland, County of Multnomah, State of Oregon to conduct an
9 investigation related to the homicidal death of Daniel C. Brophy. The assigned Case Number is
10 18-183742. During the course of this investigation I oversaw the collection of information from
11 the crime scene located in and around the Oregon Culinary Institute located at 1701 SW
12 Jefferson Street, City of Portland, Multnomah County, and State of Oregon.

13

14 After reviewing the initial police response, talking to officers present at the scene and
15 debriefing with other investigators who were present, the following information has been
16 developed regarding Case Number 18-183742. I was informed by Sergeant Whattam that police
17 were called to respond to investigate a subject who had been recently shot with a gun and had
18 died in one of the kitchen areas of the Oregon Culinary Institute at 0823 hours on June 2, 2018.
19 The subject who had been killed was identified as Daniel C. Brophy who was an employed
20 instructor at the Oregon Culinary Institute. I personally observed that Daniel C. Brophy's injuries
21 were such that they could not have been self-inflicted, and no firearm was located at the scene.
22 The location of the crime occurred inside the institute, and I learned from staff and personal
23 observation the institute did not have any security surveillance camera systems. After contacting
24 the students and other staff members responding officers were not able to identify any eye-
25 witnesses who had heard or seen the actual crime occur. During the initial interviews with
26 institute administrators I was unable to identify any subjects who had a current grudge or dispute

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3 with Daniel C. Brophy.

4

5 While at the location of occurrence I conducted an audio recorded interview with the wife
6 of Daniel C. Brophy. The wife's name is Nancy Lee Crampton-Brophy. Nancy Lee Crampton-
7 Brophy told us she had come to the Oregon Culinary Institute because a friend had called her
8 about an incident at the institute and it was on the news. Nancy Lee Crampton-Brophy told me
9 she had attempted to call Daniel C. Brophy without result. We spoke to Nancy Lee Crampton-
10 Brophy in order to determine when Daniel C. Brophy left his home and what routines he keeps in
11 the morning. Nancy Lee Crampton-Brophy provided a timeline for when Daniel C. Brophy had
12 left their house that morning and she also provided some background information about her
13 husband. Nancy Lee Crampton-Brophy told us she believed Daniel C. Brophy left their residence
14 in Beaverton sometime around 0705 hours and would have arrived at the institute about ten
15 minutes or so later as they only live about five miles away. Nancy Lee Crampton-Brophy also
16 indicated she was at home at the time her husband left the house. Nancy Lee Crampton-Brophy
17 told us she did not know of any dispute or problem with any person that would provide a motive
18 for this incident. Nancy Lee Crampton-Brophy told us Daniel C. Brophy was well liked at the
19 institute and with the students. Nancy Lee Crampton-Brophy told us she and her husband had
20 decided to buy a handgun in February of this year (2018) after hearing about the school shooting
21 in Florida. Nancy Lee Crampton-Brophy told us she believed it was still at the house, but had not
22 looked at it recently. Nancy Lee Crampton-Brophy said they had not used it as they were not
23 really people that were familiar with guns. Nancy Lee Crampton-Brophy described the gun as a
24 Glock handgun in 9mm caliber.

25

26 While Nancy Lee Crampton-Brophy was at the Culinary Institute with us we asked if we

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3 could drive her back home and check if the firearm was still at the house, as we were unsure if
4 Daniel C. Brophy may have had the gun with him at the Institute for protection, and it had been
5 used against him in some way. Nancy Lee Crampton-Brophy agreed, and Detective Beniga and
6 Detective Broughton travelled with her back to her house to check the condition of the firearm. I
7 observed the vehicle Nancy Lee Crampton-Brophy was driving was a gray colored Toyota
8 Sienna mini-van with a roof rack and tinted windows. A set of pictures were taken of the vehicle
9 Nancy Lee Crampton-Brophy was driving by Detective Beniga, please see attached photos in
10 EXHIBIT A.

11
12 Detective Beniga later told me Nancy Lee Crampton-Brophy gave the Glock 9mm
13 handgun to them for safekeeping. The gun was found in its box without ammunition along with
14 magazines and the slide zip-tied through the barrel.

15
16 During this investigation a canvas for video surveillance was conducted of the
17 surrounding businesses located by the Oregon Culinary Institute. This canvas is an investigative
18 technique designed to locate and identify potential suspects, suspect transportation, and avenues
19 of escape by the perpetrator. I had been informed by Detective Merrill that the Bellagio's Pizza
20 restaurant located across the street from the Oregon Culinary Institute had a security surveillance
21 system and had a camera that covered SW Jefferson Street just west of the Culinary Institute.

23 While watching the video at the Bellagio's location I observed a dark colored minivan
24 drive west bound on SW Jefferson Street from the area of the Oregon Culinary Institute. The
25 vehicle looked just like the mini-van driven by Nancy Lee Crampton-Brophy. The time the mini-
26 van travels west from the area of the institute was 0728 hours (AM) as adjusted from the

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3 surveillance system that was synced to Eastern Standard Time. The mini-van on the video
4 appeared to be driven by a subject who had gray hair. As Detective Beniga was at the house of
5 Nancy Lee Crampton-Brophy we asked him to take some pictures of her vehicle in order to
6 compare it with the video. Detective Beniga told me when he was taking pictures of the mini-
7 van; Nancy Lee Crampton-Brophy spontaneously stated, "Why? I wasn't there this morning, I
8 was at home."

The information developed from the crime scene and the autopsy conducted the following day determined the bullets involved in the shooting were 9mm in caliber and were fired by a semi-auto type handgun. The casings found at the crime scene were stamped "sig 9mm luger" with silver colored exteriors. I was also able to find from the Oregon Culinary Institute staff that Daniel Brophy had deactivated the alarm for the institute building at approximately 0721 hours on June 2, 2018. From the information developed from the autopsy and the initial observance by the Medical Examiner Daniel Brophy was shot in the back once and shot in the chest once. Both bullet impacts were centrally oriented on his body and both bullets traversed the heart. Daniel Brophy did not have any defensive type wounds on his body. I noted no items or money appeared to have been taken from Daniel Brophy and no sign of a struggle or disturbance was present at the crime scene. Further, no items were found to be disturbed or missing from the Oregon Culinary Institute.

23 During the initial investigation the cell phone belonging to Daniel Brophy the deceased
24 victim was located on his person during the incident. The phone was seized as evidence and its
25 information downloaded by Detectives in order to preserve the evidence. I personally reviewed
26 the information on the phone in an attempt to discover possible motive and suspect information

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3 related to Daniel Brophy's murder. During the review I found a website book mark for the title
4 "10 ways to cover up a murder." Please see attached copy of website article in EXHIBIT B. I
5 later had contact with Nancy Brophy who confirmed she and Daniel Brophy had a shared Apple
6 I-Tunes account for their phones. From my research into Apple's I-Tune family sharing plans, I
7 know that internet searches and bookmarks are saved to the accounts search history and viewable
8 from any phone attached to the account. I know from talking to Nancy Lee Crampton-Brophy
9 she is a romance novelist and has several books published. I also know from my investigation
10 and interview with Nancy Lee Crampton-Brophy she is involved with medical insurance
11 counseling and is familiar with life insurance programs.

12

13 I also took time to compare the surveillance video with the pictures of Nancy Lee
14 Crampton-Brophy's mini-van. As I observed the photos I noted an older scratch with indentation
15 of the driver's side rear quarter panel between the top of the rear wheel well and the fuel door.
16 The scratch/indentation was rusted and had been on the vehicle for some period of time. As I was
17 able to view the video with a better monitor, I could see the same deformation in the mini-van on
18 the Bellagio's Pizza surveillance video. I could also see the driver's appearance was consistent to
19 Nancy Lee Crampton-Brophy's appearance.

20

21 After further canvassing I noted we were able to find additional video that pictured the
22 same mini-van at the same time frames circling the area at 0708 hours. Located to the west of the
23 Culinary Institute is a MAX platform called the Goose Hollow Station and has a series of camera
24 systems. Detective Merrill and I were able to secure the platform video for this station from 0630
25 hours to 0730 hours. Detective Merrill and I later reviewed these videos and were able to locate a
26 van matching the description of the Toyota Sienna belonging to Nancy Lee Crampton-Brophy

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3 driving in towards the Oregon Culinary Institute at 0641 hours from the west. In one of the
4 videos we were able to identify a portion of the license plate on the gray colored Toyota Sienna
5 mini-van. The viewable digits are "67 B." I was not able to specifically identify the first digit and
6 the last two digits listed on the license plate, but I was able to narrow what is seen into a range of
7 possible digits. The first digit of the plate could be a "0," but it is not completely clear enough to
8 be sure in my estimation. The other digits of the plate observed are consistent with "Q" and "X,"
9 but could also possibly be a "D" and a "K." The license plate for the Toyota Sienna mini-van
10 belonging to Nancy Lee Crampton-Brophy is assigned Oregon State License number "067
11 BQX." I know from my own internet research that Toyota made the same body and light
12 configuration for the Sienna mini-van for 2004 and 2005 models, and I know that the Toyota
13 Sienna mini-van registered to Daniel Brophy match that model seen in the video surveillance I
14 viewed. An Oregon DMV search indicates about 21 vehicles licensed in the State of Oregon to
15 2004 and 2005 Toyota Sienna vans could fit this partial license plate combination.

16
17 The other videos recovered and viewed were able to document a general area of travel for
18 the mini-van. The van is seen arriving on SW Jefferson Street and SW 20th Avenue heading east
19 towards the Oregon Culinary Institute at 0641 hours. The vehicle is seen heading north on SW
20 18th Avenue. The van is later seen stopping in front of KGW Studios on SW Jefferson east of the
21 Oregon Culinary Institute. The vehicle waits a short period of time then drives west by another
22 camera located at 1734 SW Jefferson Street and continues west travelling by Bellagios
23 Restaurant at 0708 hours. The van is then seen traversing the roundabout at SW Jefferson and
24 SW 18th Avenue where it is encountered by a PGE video security camera located at SW
25 Columbia Street and SW 16th Avenue. On this camera the mini-van turns left and drives north on
26 SW 17th Avenue towards the Oregon Culinary Institute one block away. The vehicle is not seen

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3 driving by the other cameras until 0728 hours as it drives by Bellagios Restaurant again as it
4 heads west towards Beaverton. The vehicle is also observed again at the Goose Hollow Tri-Met
5 Station continuing west on NW Jefferson Street and out of view heading towards Beaverton
6 Oregon. Based on the totality of this information I believe Nancy Lee Crampton-Brophy was
7 circling the area in her dark colored mini-van prior to Daniel C. Brophy's arrival at the Oregon
8 Culinary Institute, and Nancy Lee Crampton-Brophy was watching for Daniel C. Brophy's
9 arrival in order to effect his eventual murder.

10
11 It should be noted a court order/warrant was served on the AT&T account for the cell
12 phone number of Nancy Lee Crampton-Brophy for the historical location information for the
13 phone. The return of the warrant information requested is still being analyzed, but initial
14 indication shows the phone located in the area of Nancy Lee Crampton-Brophy's residence in
15 Beaverton Oregon during the time of the incident when Daniel Brophy was murdered. According
16 to the initial analysis from the Detective Division crime analyst, Nancy Lee Crampton-Brophy's
17 phone was not used but was on and connected to a nearby cell site.

18
19 On June 5th, 2018, four days after Daniel Brophy's murder I received a call from Nancy
20 Lee Crampton-Brophy inquiring as to a letter clearing her as a suspect in the death of her
21 husband Daniel Brophy. During this investigation I have been contacted by four different
22 insurance agencies and I have learned that Nancy Lee Crampton-Brophy is the beneficiary of
23 these policies to an approximate value of \$350,000.

24
25 During this investigation I spoke to Nathaniel Stillwater the son of Daniel Brophy on
26 June 27, 2018. During our conversation I learned Nancy Lee Crampton-Brophy used to sell life

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3 insurance. I also found Nathaniel Stillwater was unaware of the recent purchase of a handgun by
4 Nancy Lee Crampton-Brophy. Nathaniel Stillwater told us he was surprised about the purchase
5 of the gun, and thought it was odd as he did not know they were considering such a purchase.
6 Nathaniel Stillwater told us he did not consider Nancy Lee Crampton-Brophy or his father to be
7 the type of people to own a gun. Nathaniel Stillwater told us he is familiar with firearms and
8 owns several firearms for hunting and sporting activities. Nathaniel Stillwater told us his father
9 knew this about him, and he thought his father would have likely talked to him about such a
10 purchase.

Nancy Lee Crampton-Brophy told me she purchased the firearm at a gun show in February 2018, and she had not used the gun or had any ammunition to load into the firearm. When she gave the firearm to Detective Beniga she also provided a copy of the purchase receipt. The receipt listed J&B Firearm Sales as the vendor who sold the firearm to Nancy Lee Crampton-Brophy. I confirmed the serial number on the firearm matched that of the receipt. I went to J&B Firearms located at 10201SW Beaverton-Hillsdale Highway in Beaverton Oregon. I spoke with the employees there and they informed me that when they sell firearms at the gun shows they do not sell ammunition. The employees showed me the type of zip ties they use for securing weapons at the gun shows. I noted the zip tie used was similar to the one found on the gun Nancy Lee Crampton Brophy had turned over for safe keeping. While at J&B Firearms I noted they had the same type of ammunition for sale that was found in the crime scene. I also noted that J&B Firearms Store is located less than a mile away from Nancy Lee Crampton Brophy's home address.

On August 29, 2018 I submitted an affidavit for a warrant to test and analyze the Glock

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3 17 firearm given to Detective Beniga and Detective Broughton for safe keeping by Nancy Lee
4 Crampton Brophy. Multnomah County Circuit Court Judge Amy Holmes-Hehn issued a warrant
5 to test and analyze the Glock 17 handgun with serial number [REDACTED] I transferred this firearm
6 along with the two casings and bullets recovered from the crime scene to the Oregon State
7 Criminal Laboratory on August 29, 2018. On September 4, 2018 I spoke to Leland Samuelson
8 the forensic scientist and firearm expert who conducted the analysis of the handgun, casings, and
9 bullets. Leland Samuelson told me the Glock 17 handgun with serial number [REDACTED] was not
10 the gun that fired the bullets that killed Daniel Brophy. Leland Samuelson told me the gun used
11 to shoot the ammunition components from the crime scene was most likely a different Glock
12 handgun of 9mm caliber. Leland Samuelson confirmed the same gun was used to fire both
13 bullets in the murder Daniel Brophy.

1. Residential Search:

17 I am requesting a warrant to search the residence and vehicle of Nancy Lee Crampton-
18 Brophy at [REDACTED] City of Beaverton, County of Washington, State of Oregon.
19 This location is a single story residence with a detached garage; two tone blue colored siding
20 with white colored trim around the windows and eves, and a gray colored composite roof. The
21 numbers ' [REDACTED]' for the residence are affixed to the right side of the front door.

23 From my training and experience as a police detective along with conversations with
24 other investigators I know that more likely than not persons involved in premeditated murder
25 will conduct extensive research and planning in order to conduct and conceal their crime. This
26 research includes internet searches with personal home computers on how best to conduct a

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3 murder as well as how to avoid detection. I know from my training and experience investigating
4 similar premeditated crimes that these internet searches can be bookmarked for future access
5 providing evidence of intention and motive, I also know these internet searches will include
6 inquiries into areas on how to flee apprehension, as well as ways to best benefit from the
7 commission of the crime, such as insurance agency protocols and correspondence for payment of
8 benefits from various policies. I know this research and planning can be found on electronic
9 devices such as computers, electronic tablets, smart phones, personal journals and diaries, and
10 printed documents. I further believe that it is more likely than not that this type of evidence will
11 be located within the home located at [REDACTED] Beaverton, Oregon because of the
12 previously mentioned bookmark on the Brophy's shared iPhone account revealing a prior search
13 for "10 ways to cover up a murder."

That I know from my training and experience as a police detective, suspects who commit criminal actions with firearms often secrete and retain items of evidence in residences and vehicles which they may occupy to include but not limited to: guns, ammunition, clothing, and documents showing ownership. These items can also be intermingled with receipts showing dominion and control of personal property along with items and proceeds of the criminal action and items of identification leading to the identity of additional suspects. That I know from my training and experience that handguns are easily hidden on a person, within their clothing, within vehicles, and within residences. I know based on my training and experience that Glock handguns can range in size from small enough to be hidden in a closed hand, in the case of a small Derringer style handgun, or up to 14 inches in length and using telescopic sights. I know that handguns are discovered by police officers inside places similar to, but not limited to engine compartments, trunks, wheel wells, compartments, consoles, jackets, shoes, closets, safes, and

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3 crawl spaces.

5 That I know based on my training and experience a handgun can be dismantled into its
6 parts and those parts can be hidden anywhere within a vehicle or residence. I know based on my
7 training and experience that handguns, as well as other firearms, are commonly dismantled and
8 their parts hidden in different locations, or traded with other parts, in order to prevent discovery
9 by law enforcement. In addition, the practices of dismantling and hiding firearms are done in an
10 effort to disrupt the potential success of ballistic testing when the firearm is found by law
11 enforcement. I know that these handgun parts can be hidden anywhere to include, but not
12 limited to, residences, pockets of clothing, vehicle compartments, envelopes, plastic baggies,
13 Tupperware type containers, coffee cans, film canisters, and other small containers.

15 That I know from my training and experience that the Portland Police Bureau Forensics
16 Evidence Division can lift latent fingerprints from non-porous objects, which can be used to
17 identify individuals who possessed the above described items.

18
19 That I know from my training and experience that certain items, documents, and
20 electronic devices can show possession, dominion, and control over said premises, including but
21 not limited to keys, mail, envelopes, address books, and similar items are discovered and often
22 relevant in determining the identity of the possessors of the criminally possessed items seized as
23 evidence.

That I know from my training and experience that items such as documents, electronic devices, firearms, and ammunition that are sought in this warrant are often retained by people for

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3 long periods of time, sometimes for several months and or years.

4

5 That, in reviewing all the above listed information, I have probable cause to believe
6 evidence of Murder and Unlawful Use of a Weapon will be found inside [REDACTED]
7 City of Beaverton, County of Washington, State of Oregon;

8

9 That I therefore ask the above-entitled court issue a search warrant authorizing the
10 seizure and search of the following: The residence with detached garage, including the curtilage,
11 located at [REDACTED], City of Beaverton, County of Washington, State of Oregon;

12

13 To search for, and seize instrumentalities, and evidence of the crimes of Murder, as
14 defined in Oregon Revised Statute 163.115, and Unlawful Use of a Weapon, as defined in
15 Oregon Revised Statute 166.220, and to authorize the processing, testing, analyzing, comparing,
16 and/or searching of this evidence by me and other Detectives with the Portland Police Bureau,
17 Criminalists from the Portland Police Bureau Forensic Evidence Division and/or other Forensic
18 Investigators with the Oregon State Police Criminal Laboratory, or any other sworn law
19 enforcement agency within the State of Oregon;

20

21 To include: Evidence of the crimes of Murder and Unlawful Use of a Weapon,
22 including, weapons, firearms, fingerprints, photographs, written material such as journals and
23 notes, cellular phones, computers, electronic tablets, and other electronic devices that use cellular
24 technology to connect to the internet as well as devices that have internet web browsing
25 capabilities, biological materials or trace evidence, and evidence of ownership and
26 correspondence, including text messages, email, internet site information for the selling and

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3 purchase of items (i.e. Craigslist or Offer-Up), postal oriented mail, and purchase receipts or
4 purchase agreements;

5

6 **2. Vehicle Search:**

7

8 I am requesting a warrant to seize and search a gray colored Toyota Sienna mini-van with
9 Oregon license plate "067BQX" for items of evidence related to the murder of Daniel Brophy.
10 The vehicle is currently registered to Daniel Brophy at the address of [REDACTED]
11 City of Beaverton, County of Washington, State of Oregon.

12

13 That I know from my training and experience as a police detective, suspects who commit
14 criminal actions with firearms often secrete and retain items of evidence in vehicles which they
15 may occupy to include but not limited to: guns, ammunition, clothing, and documents showing
16 ownership. These items can also be intermingled with receipts showing dominion and control of
17 personal property along with items and proceeds of the criminal action and items of
18 identification leading to the identity of additional suspects. That I know from my training and
19 experience that handguns are easily hidden on a person, within their clothing, within vehicles,
20 and within residences. I know based on my training and experience that handguns can range in
21 size from small enough to be hidden in a closed hand, in the case of a small Derringer or up to 14
22 inches in length and using telescopic sights. I know that handguns are discovered by police
23 officers inside places similar to, but not limited to engine compartments, trunks, wheel wells,
24 compartments, consoles, jackets, shoes, closets, safes, and crawl spaces.

25

26 That I know based on my training and experience a handgun can be dismantled into its

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3 parts and those parts can be hidden anywhere within a vehicle or residence. I know based on my
4 training and experience that handguns, as well as other firearms, are commonly dismantled and
5 their parts hidden in different locations, or traded with other parts, in order to prevent discovery
6 by law enforcement. In addition, the practices of dismantling and hiding firearms are done in an
7 effort to disrupt the potential success of ballistic testing when the firearm is found by law
8 enforcement. I know that these handgun parts can be hidden anywhere to include, but not
9 limited to, residences, pockets of clothing, vehicle compartments, envelopes, plastic baggies,
10 Tupperware type containers, coffee cans, film canisters, and other small containers.

11
12 That, in reviewing all the above listed information, I have probable cause to believe the
13 vehicle itself is evidence of the murder of Daniel Brophy. I have further probable cause to
14 believe evidence of Murder and Unlawful Use of a Weapon will be found in the gray colored
15 Toyota Sienna mini-van with Oregon license plate "067BQX" for items of evidence related to
16 the murder of Daniel Brophy. The vehicle is currently registered to Daniel Brophy at the address
17 of [REDACTED] City of Beaverton, County of Washington, State of Oregon.

18
19 That I therefore ask the above-entitled court issue a search warrant authorizing the seizure
20 and search of the following: A gray colored Toyota Sienna mini-van with Oregon license plate
21 "067BQX" for items of evidence related to the murder of Daniel Brophy. The vehicle is
22 currently registered to Daniel Brophy at the address of [REDACTED] City of
23 Beaverton, County of Washington, State of Oregon.

To search for, and seize instrumentalities, and evidence of the crimes of Murder, as defined in Oregon Revised Statute 163.115, and Unlawful Use of a Weapon, as defined in

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
MULTNOMAH COUNTY**

3 Oregon Revised Statute 166.220, and to authorize the processing, testing, analyzing, comparing,
4 and/or searching of this evidence by me and other Detectives with the Portland Police Bureau,
5 Criminalists from the Portland Police Bureau Forensic Evidence Division and/or other Forensic
6 Investigators with the Oregon State Police Criminal Laboratory, or any other sworn law
7 enforcement agency within the State of Oregon;

To include: Evidence of the crimes of Murder and Unlawful Use of a Weapon, including, weapons, firearms, fingerprints, photographs, written material such as journals and notes, cellular phones, computers, electronic tablets, and other electronic devices that use cellular technology to connect to the internet as well as devices that have internet web browsing capabilities, biological materials or trace evidence, and evidence of ownership and correspondence, including text messages, email, internet site information for the selling and purchase of items (i.e. Craigslist or Offer-Up), postal oriented mail, and purchase receipts or purchase agreements;

3. Electronic Devices

19 I am requesting a warrant to seize the cell-phone, computer/laptops, and electronic tablets
20 from Nancy Lee Crampton-Brophy. Given the information in the affidavit, it is more likely than
21 not that Nancy Lee Crampton-Brophy was involved in the murder of her husband Daniel Brophy
22 on June 2nd, 2018. I will submit a subsequent affidavit and warrant to search the contents of the
23 above listed seized items.

I know based on my training and experience that cell phones, computers, and electronic tablets have the capability to browse the internet and such browsing history is stored within the

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

2 **MULTNOMAH COUNTY**

3 memory of the cell phone, computer, and electronic tablet. I further know based on my training
4 and experience that persons committing offenses described herein will, more likely than not,
5 possess evidence of their criminal acts within their cell phone, computer, and electronic tablet
6 internet browsing history. I know from my training and experience the information stored in
7 these electronic devices can be retained for long periods of time. Such evidence includes
8 plotting, planning and execution of the crime such as researching the location of the crime,
9 researching how to commit the crime including what weapons may be desirable to facilitate the
10 crime and purchasing items and weapons from the internet to assist in the facilitation of the
11 crime. Such evidence also includes apprehension avoidance and concealment of evidence after
12 the crime. I know from my training and experience investigating similar crimes that internet
13 browsing history providing evidence of the crime will, more likely than not, be found throughout
14 the planning phase of the crime until the date of apprehension. Internet browsing history about
15 the crime involving the plotting, planning and execution will, more likely than not, be found
16 throughout the planning phase of the crime and through the date of the crime while internet
17 browsing history after the crime involving discussions of the concealment of evidence linked to
18 the crime and apprehension avoidance, more likely than not, will be found until the date of
19 apprehension;

20

21 Based on the foregoing, I believe that probable cause exists for evidence of the crimes of
22 Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS 166.220), will be found inside; 1.
23 The residence located at [REDACTED] City of Beaverton, County of Washington,
24 State of Oregon. This location is a two story residence with a detached garage; two tone blue
25 colored siding with white colored trim around the windows and eves, and a gray colored
26 composite roof. The numbers [REDACTED] for the residence are affixed to the right side of the front

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

2 **MULTNOMAH COUNTY**

3 door; 2. The vehicle registered to Daniel C. Brophy and driven by Nancy Lee Crampton-Brophy,
4 a gray colored Toyota Sienna mini-van with Oregon license plate "067BQX;" 3. The cell phone
5 of NANCY LEE CRAMPTON BROPHY with assigned phone number [REDACTED] along
6 with any computers, electronic tablets, and any other electronic devices with internet access;

7

8 Nancy Lee Crampton-Brophy was placed into custody outside her residence on
9 September 5, 2018. I was informed by Detective Merrill that he spoke to Detective Dan Andrew
10 who told him the following: Nancy Lee Crampton-Brophy spontaneously said upon her arrest,
11 "You're arresting me? You must think I murdered my husband." Later she stated spontaneously,
12 "I'm not a murderer, I just had to get that out." Detective Andrew heard dogs barking inside the
13 residence and Nancy Lee Crampton-Brophy stated no one was in the residence and was in the
14 process of selling the home and had moved furniture out of the home. Detective Andrew noted
15 that new grass sod was in the front yard, and several full trash cans on the property in front of
16 and along the side of the house.

17

18 I know from training and experience that premature disclosure of the contents of this
19 affidavit would jeopardize the investigation because it could release information known only to
20 law enforcement investigators. This could allow information to be released that could otherwise
21 be used to check the accuracy of information by witnesses and suspects related to this case.
22 Based on the foregoing, I request the affidavit be sealed until further ordered by the court,
23 excepting that it may be provided to the defense team in this case subject to the terms of any
24 protective order currently governing discovery in the case.

25

26

IN THE CIRCUIT COURT OF THE STATE OF OREGON

MULTNOMAH COUNTY

Therefore, based on the foregoing I pray for a warrant to search the residence at [REDACTED] City of Beaverton, County of Washington, State of Oregon to include curtilage [REDACTED] hidden areas within and outside the residence and detached garage; and the gray colored [REDACTED] Sienna Mini-van with Oregon license plate "067BQX" and to seize the vehicle for [REDACTED] ce of crimes related to Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS 20) to seize, test, and examine, to include, but not limited to:

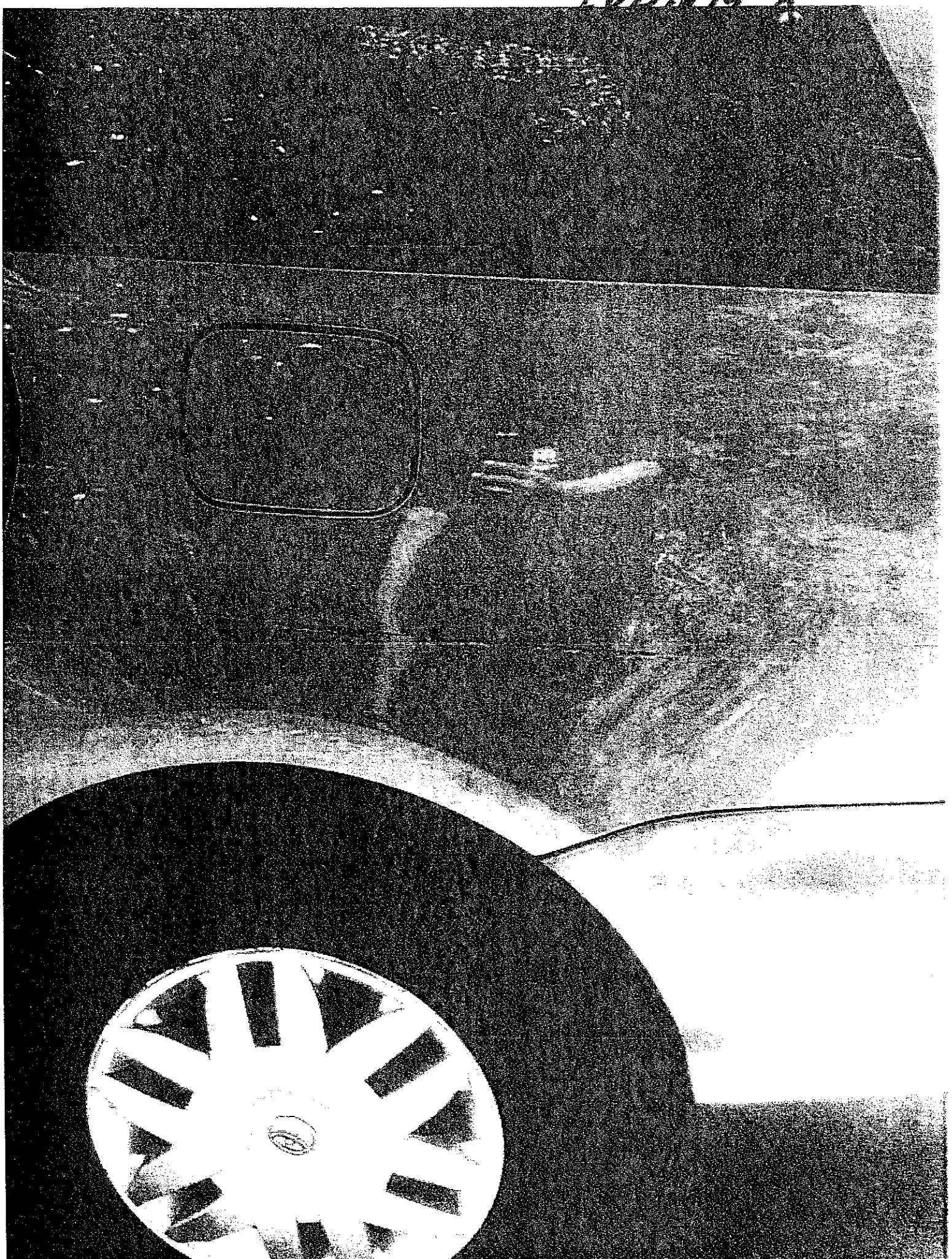
- 1) Any handgun, Glock pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun cleaning equipment, holsters, and gun safes;
- 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
- 3) Any receipts or paperwork for firearm purchases or possession;
- 4) Any written journals, diaries, or notes;
- 5) Any keys, documents for storage facilities, or other information regarding locations where Nancy Lee Crampton-Brophy is storing personal effects;
- 6) Trash cans located on the property on the side of and in front of the home;
- 7) To seize any computers and electronic tablets with internet browsing abilities;
- 8) To seize any cell phones or smart phone devices with the ability to send and receive text messages, email, internet browsing, and phone calls.

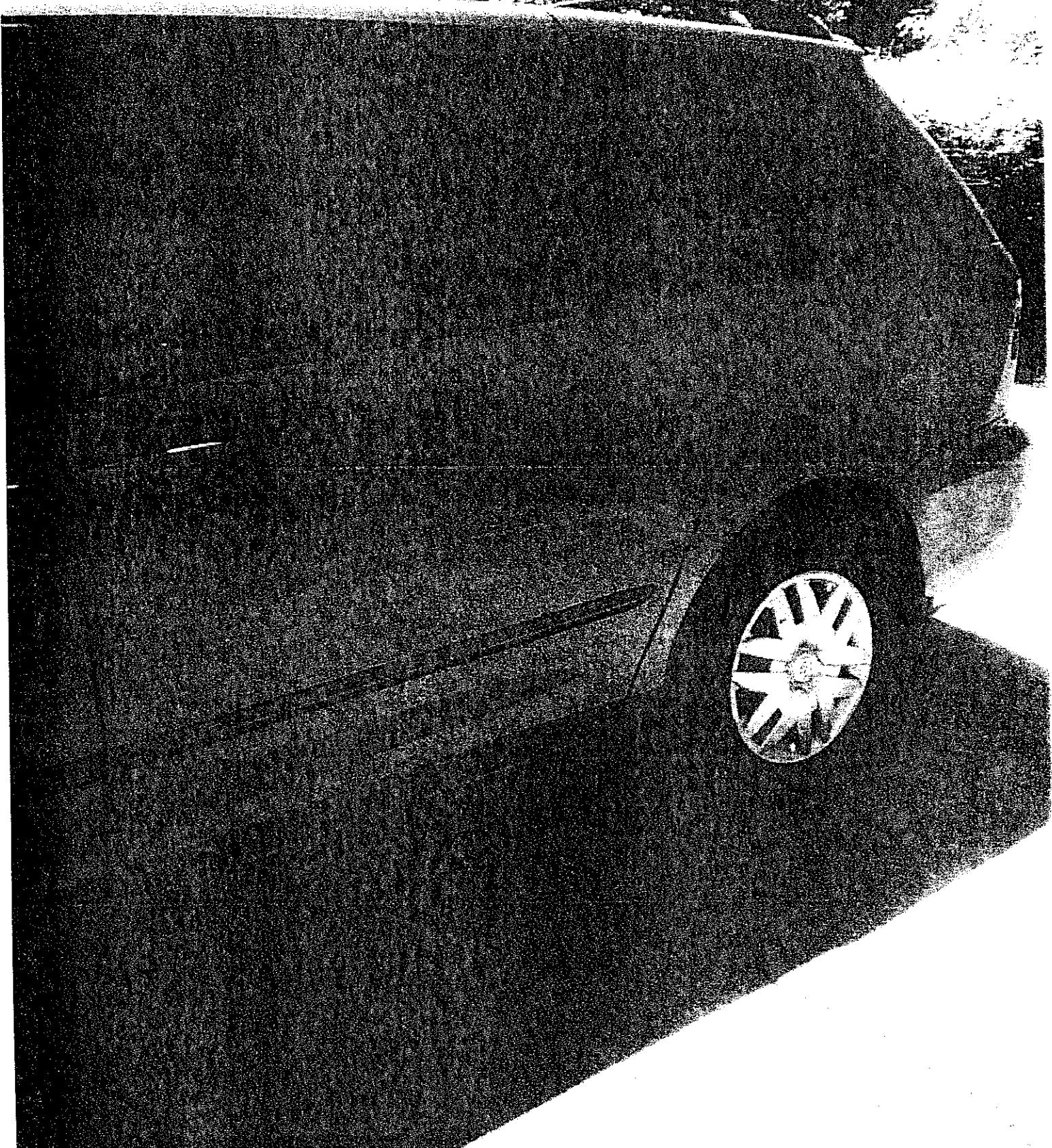

John S. Wren
Affiant

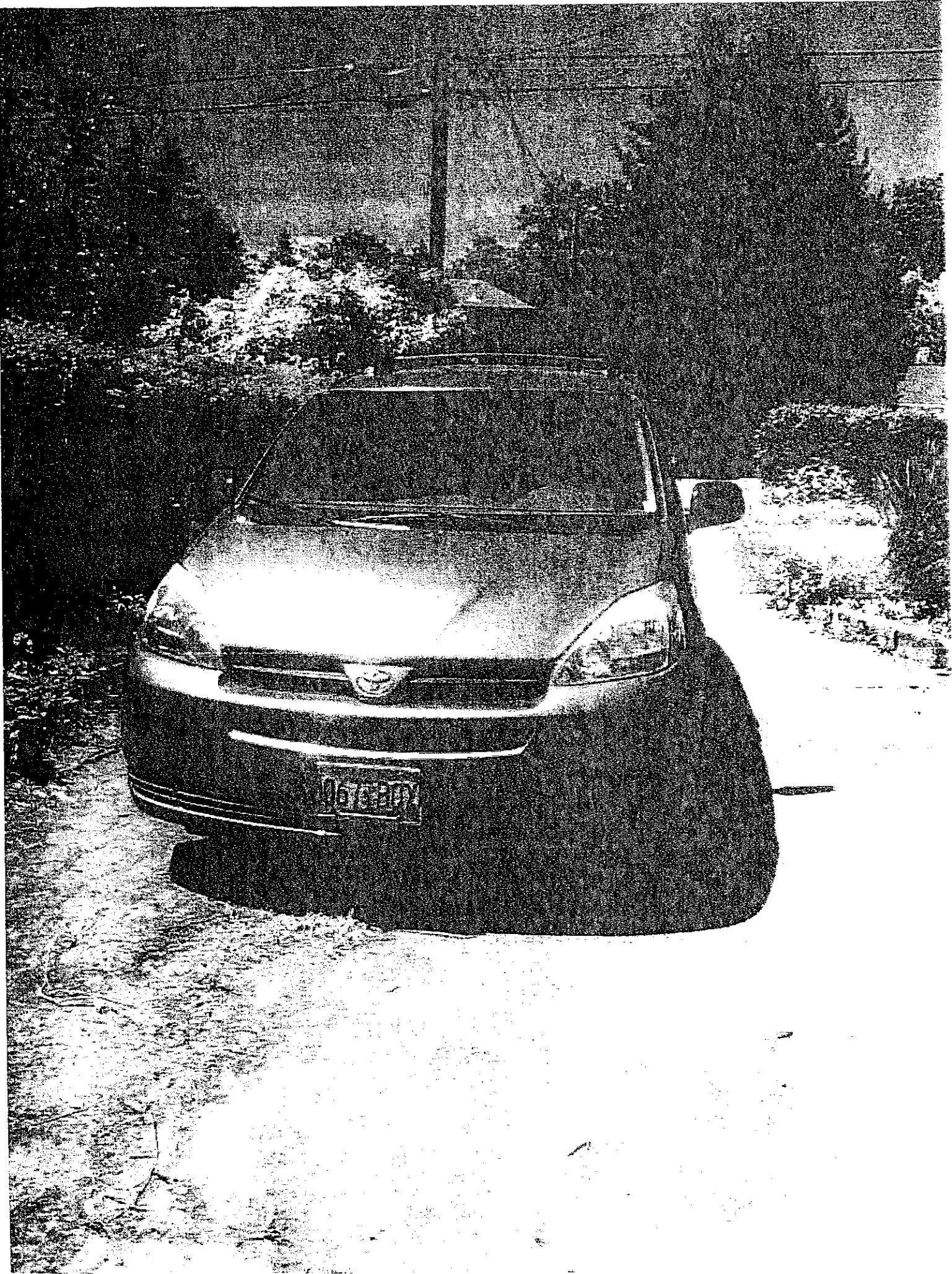
SUBSCRIBED AND SWORN TO before me this 5th day of September 2018.

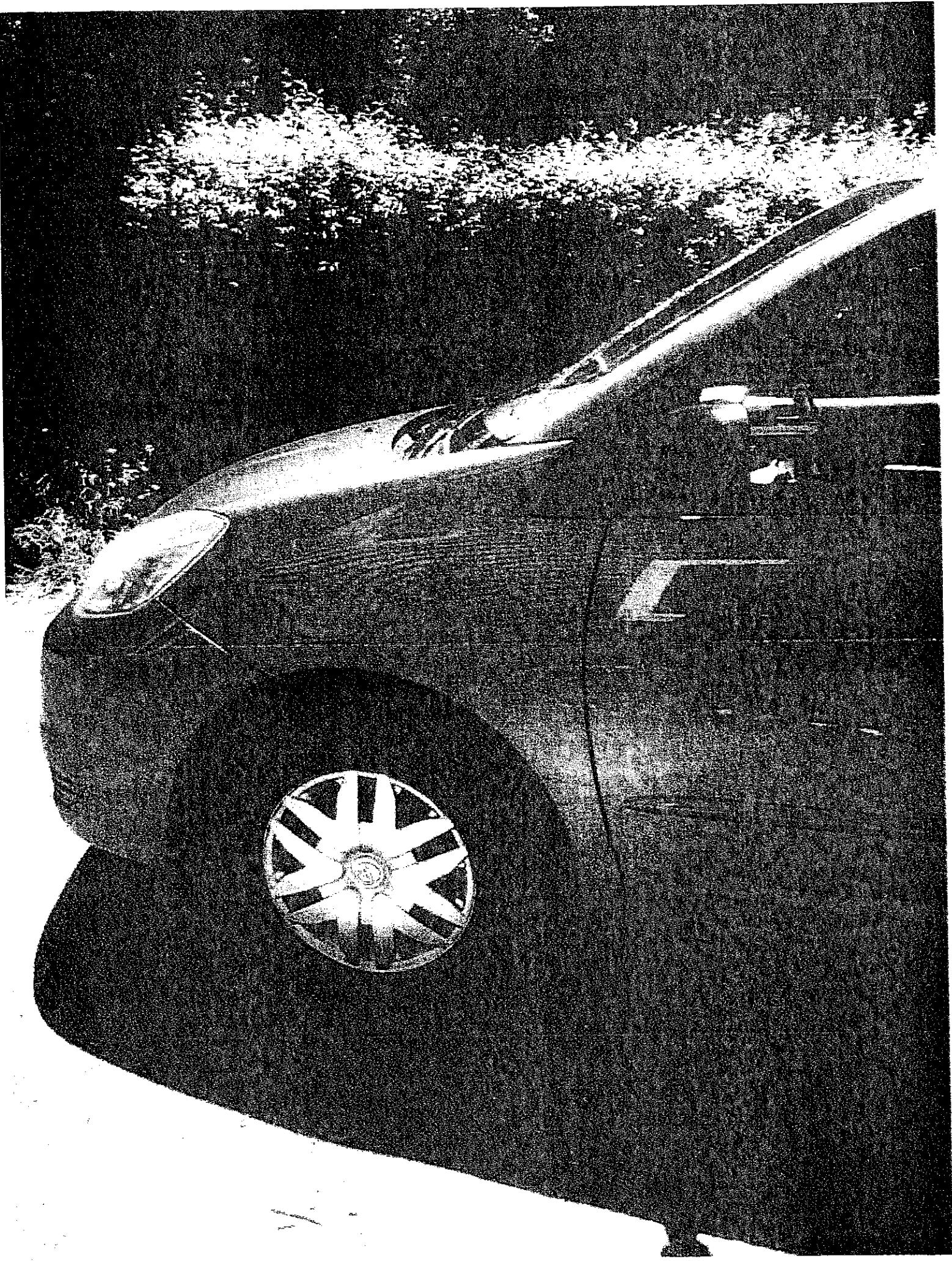
Karen J. Sommerville
Judge

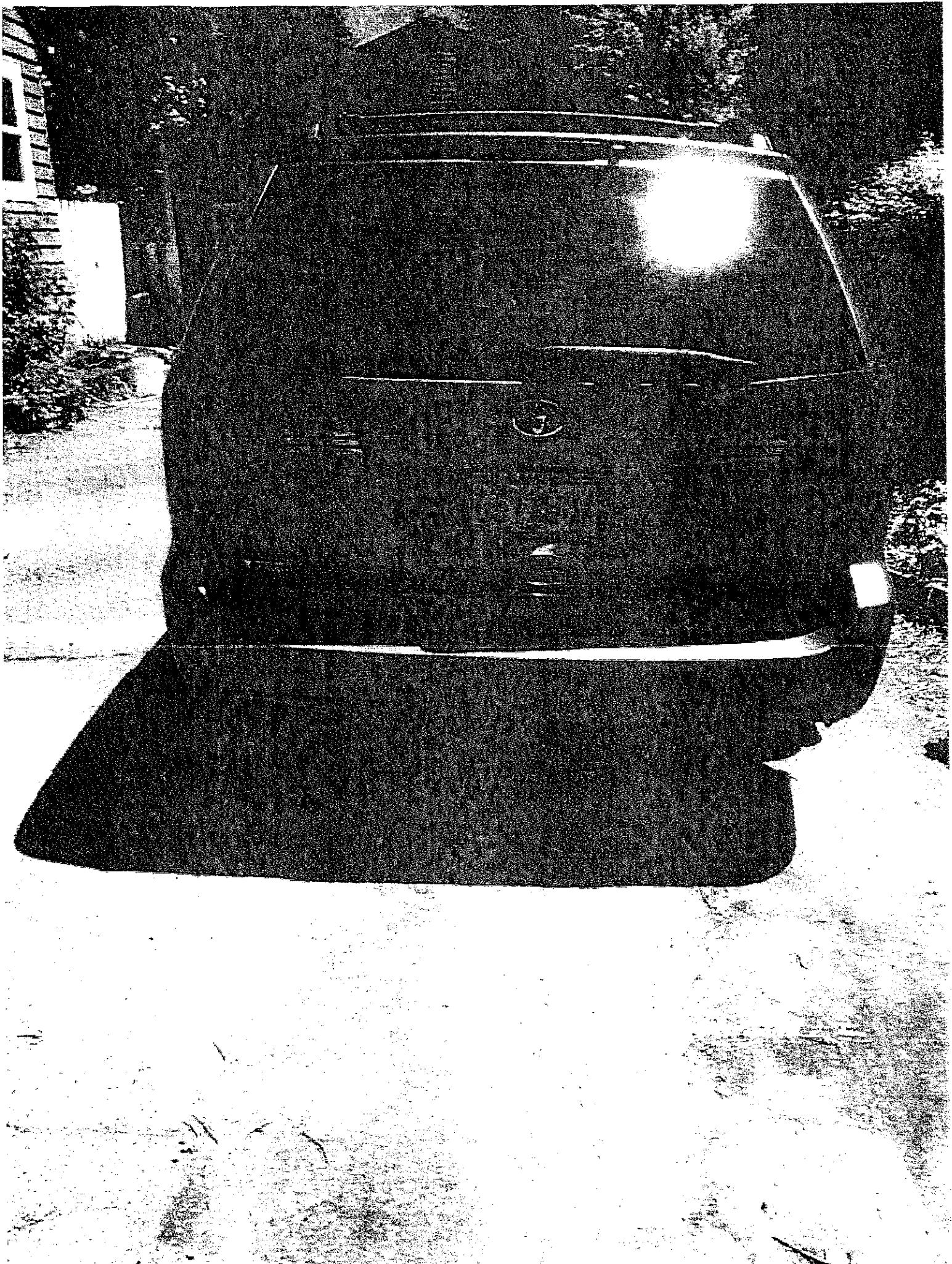
EXHIBIT C











Share this infographic on your site!

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<a href="http://www.top-criminal-justice-schools.net/murder/">
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10 Ways to Cover Up a Murder

At [Top Criminal Justice Schools](#), we thought it would be fun to take a look at the murder from the murderers perspective. So why are you here reading this? Maybe you've been watching too many murder dramas (Dexter anyone?). Maybe you admire mastermind serial killers. Or maybe you're just giving advice to someone with an itchy trigger finger. Whatever your reason, you want to know how to get away with murder, and when you're done here you may be able to do just that. DNA

Your Signature

1. DNA is the surest way to get caught.

- Do not leave ANY DNA behind.
- Commit your crime in a place that is likely to have a lot of DNA from strangers.
- The oxygen-producing (oxygen bleach) detergents are best.

Relationship**2. The large number of crimes committed are committed by someone close to the victim.**

- Pick someone at random.
- 24.2 percent of victims were slain by family members
- 34.6 percent were murdered by their husbands or boyfriends
- 53.8 percent were killed by someone they knew

Source: http://www2.fbi.gov/ucr/cius2009/offenses/expanded_information/homicide.html

Proximity**3. Where am I?**

- Commit the crime in another town.
- Don't travel so far that you can be connected because you took a trip - just far enough that you are outside of the main area of interest to the police.
- Don't be on the road for hours before the crime, as you may become tired.
- Don't be in the area when the big investigation begins.
- Choose a good area without a lot of traffic.

Type of Crime**4. Choose your crime carefully. Make sure it is something that can be committed day or night.**

- Shooting - 39.6% in US
- Stabbing
- Bomb
- Poison
- Burning
- Crucifixion
- Striking

Source: <http://www.nationmaster.com/red/country/us-united-states/cri-crime&all=1>

There were 14,299 murders in 2008

- 66.3% from guns
- 14% from stabbing
- 4% from blunt object
- 7% used their hands

Source: <http://www.infoplease.com/ipa/A0004888.html>

Evidence**5. This is where most criminals get caught (linked to DNA).**

- If your crime involves any kind of weapon, use it and drop it. Leave it at the scene.
- Leave the body there. Do not touch the body at all. Do not move the body and do not try to hide the body.
- Do not take anything from the body.
- Wear the proper gear.
- Clean up.

Timing**6. Timing is everything.**

- The best time to commit a crime is in the very early hours of the day when most people are asleep.
- Look like you are not out of place on the street.

Tools**7. How are you going to do it and what will you need?**

- Thick gloves.
- Do not use anything you own and do not buy brands you normally buy unless they are very generic brands.
- Shop out of town in large department stores
- Pay in cash.
- Destroy any receipts or shopping bags.
- After the crime is committed, destroy everything you bought as quickly as you can.
- Buy your tools at least 1 month before committing the crime.

Alibi**8. It is good to have an alibi.**

- Plan an out of town trip and book everything with your credit card.
- Stay in a hotel with no cameras.
- Sign up for an event to attend.
- In the early hours travel to the place of your crime, commit it, and return.
- Return home the next day.

The Getaway**9. You're almost in the clear!**

- The best mode of transport is by bike. This will enable you to get off the roads if you need and to travel quickly.
- You do not want to be seen on the street walking (remember, the Zodiac nearly got caught this way).
- Fit in with your surroundings.
- Have a solid story.

Aftermath**10. What happened?**

- Do not watch the television and avoid the papers for at least a month. The police can use these as tools to try to psych you out.
- Continue about your everyday life.
- Do not brag about your crime to anyone. Don't tell a soul.
- If you do get arrested, do not speak.
- The police need evidence to convict you - if you have done the job right, there won't be any.



County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1 You are hereby commanded to search for evidence located at; 1. The residence of 3380
2 SW 108th Avenue, City of Beaverton, County of Washington, State of Oregon. This location is a
3 two story residence with a detached garage; two tone blue colored siding with white colored trim
4 around the windows and eves, and a gray colored composite roof. The numbers "3380" for the
5 residence are affixed to the right side of the front door; 2. The vehicle registered to Daniel C.
6 Brophy and driven by Nancy Lee Crampton-Brophy, a gray colored Toyota Sienna mini-van
7 with Oregon license plate "067BQX." *and to seize the vehicle evidence* 
8 NANCY LEE CRAMPTON-
9 BROPHY with assigned phone number [REDACTED] along with any computers, electronic
10 tablets, and any other electronic devices with internet access to seize, test, and examine evidence
11 of crimes related to Murder (ORS 163.115) and Unlawful use of a Weapon (ORS 166.220) to
12 include, but not limited to:

12

13 1) Any handgun, pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun
14 cleaning equipment, holsters, and gun safes;

15 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;

16 3) Any receipts or paperwork for firearm purchases or possession;

17 4) Any written journals, diaries, or notes;

18 5) Any keys, documents for storage facilities, or other information regarding locations
19 where Nancy Lee Crampton-Brophy is storing personal effects;

20 6) Trash cans located on the property on the side of and in front of the home;

21 7) To seize any computers, laptop computers, and electronic tablets or devices with
22 internet browsing abilities;

23 8) To seize any cell phones or smart phone devices with the ability to send and receive
24 text messages, email, internet browsing, and phone calls.

25

26 And to seize and analyze the aforesaid objects of the search;

County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1

2 You are further directed to make return of this warrant to me within ten (10) days after
3 the execution thereof.

4 It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until
5 otherwise ordered by the court.

6

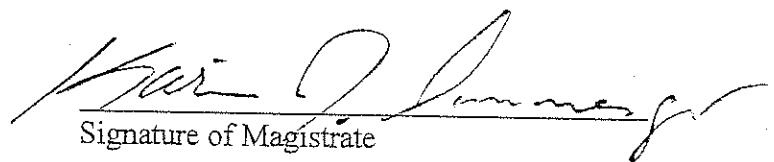
7

8 ISSUED over my hand on September 5, 2018 at 5:25 a.m. p.m.

9

10

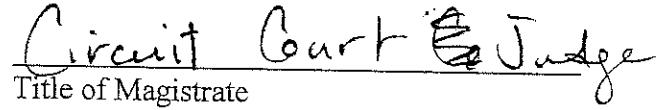
11



Signature of Magistrate

12

13



Title of Magistrate

14

15

16

17

18

19

20

21

22

23

24

25

26

MULTNOMAH COUNTY CIRCUIT COURT
SEARCH WARRANT RETURN FILED

The ORIGINAL WARRANT must be attached to this return.
The completed return must be mailed to issuing judge (at 1021 SW 4th Ave,
Portland, OR 97204) or delivered to that judge in person.

Do not email or fax this return.

The declarant identified below makes the following search warrant return:

1. This warrant was issued by Judge Amy Holmes Hahn
2. This warrant was issued on 09/07/18 at 4:20 am/pm.
3. The affiant was: the undersigned, or
 _____ BPSST# _____
4. The warrant was: not served, or
 served on 09/08/18 at 09/08 am/pm.
5. During the execution of the warrant:
 No property was seized, or
 Property was seized, see attached 2 pages, or
 The below listed items were seized:

6. I hereby declare that the above statements (and the attached pages, if any) are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

OFFICER SIGNATURE

OFFICER SIGNATURE

Darren Posey

PRINTED NAME

Agency: Portland Police DPSST# 29821 CONTACT #503-823-0403

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER	DATE/TIME	AM	REFER CASE NO.	PPB CASE NO.		
No. A090333	9/8/18	0916 PM		18-183742		
CHECK ONE TYPE ONLY	<input checked="" type="checkbox"/> EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	<input type="checkbox"/> SAFEKEEPING		
PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX DOB		
DENIED OWNERSHIP						
HOME ADDRESS	CITY	STATE	ZIP			
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX DOB		
HOME ADDRESS	CITY	STATE	ZIP	PHONE		
TYPE OF INCIDENT	DELIVERING OFFICER			DPSST/ASSIGN		
HOMICIDE SEARCH WARRANT	YOSHIMURA 24583/FED					
LOCATION WHERE SEIZED, FOUND, SURRENDERED	INVESTIGATOR (IF DIFFERENT)			DPSST/ASSIGN		
[REDACTED]	POSEY 29521/DET					
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX RACE DOB		
<input type="checkbox"/> SUSPECT						
FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION.				STLN	FOR PED USE ONLY	
ITEM 1	FIVE NOVELS					
ITEM 2	BLACK TOP, "CAROLE LITTLE," SIZE 16; FROM BOX MARKED "CLOTHING"					
ITEM 3	UHAUL BOX "SCARVES POUCHES OK"					
ITEM 4	TWO BANKERS BOXES ("RESEARCH & FRIENDS POUCH" AND "JOURNAL")					
ITEM 5						
ITEM 6						
ITEM 7						
ITEM 8						
DELIVERED TO:	<input type="checkbox"/> STATE CRIME LAB	<input type="checkbox"/> SATELLITE PROP. ROOM	<input type="checkbox"/> PED	PRECINCT & LOCKER#	DATE	RECEIVED BY
CHECK ONE ONLY	<input type="checkbox"/> FED	<input type="checkbox"/> OTHER				

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

RECEIVED BY PED

DATE:

TIME:

BY

WHITE - RECORDS COPY
PINK - WITH PROPERTY
YELLOW - CITIZENS RECEIPT

07/12

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER	No. A090334	DATE/TIME	9/8/18	AM	REFER CASE NO.	PPB CASE NO.	18-183742				
CHECK ONE TYPE	ONLY <input checked="" type="checkbox"/>	EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP.	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	<input type="checkbox"/> SAFEKEEPING					
PROPERTY TAKEN FROM:				LAST NAME	FIRST	M.I.	SEX	DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING		
DENIED OWNERSHIP <input type="checkbox"/>				CITY	STATE		ZIP				
HOME ADDRESS				CITY	STATE		ZIP	SIGNATURE			
OWNER OF PROPERTY				LAST NAME	FIRST	M.I.	SEX	DOB	PHONE		
HOME ADDRESS				CITY	STATE		ZIP				
TYPE OF INCIDENT				DELIVERING OFFICER			DPSST/ASSIGN				
Homicide Search War				YOSHIMUDA 24583/FED							
LOCATION WHERE SEIZED FOUND SUSPENDED				INVESTIGATOR (IF DIFFERENT)			DPSST/ASSIGN				
#3035				Posey 29521/DET							
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX	RACE	DOB					
<input type="checkbox"/> SUSPECT											
FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION.							STLN	FOR PED USE ONLY			
ITEM 1	GLOCK GUN CASE CONTAINING DISASSEMBLED PISTOL (INCLUDES GLOCK SLIDE AND BARREL SN/ [REDACTED])										
ITEM 2											
ITEM 3											
ITEM 4											
ITEM 5											
ITEM 6											
ITEM 7											
ITEM 8											
DELIVERED TO:	<input type="checkbox"/> STATE CRIME LAB	<input type="checkbox"/> SATELLITE PROP. ROOM	<input type="checkbox"/> PED	PRECINCT & LOCKER#	DATE	RECEIVED BY					
CHECK ONE ONLY	<input type="checkbox"/> FED	<input type="checkbox"/> OTHER									

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

RECEIVED BY PED

ATE:

TIME:

BY

WHITE - RECORDS COPY
PINK - WITH PROPERTY
YELLOW - CITIZENS RECEIPT

07/12